

Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VHT, INC., a Delaware corporation,

Plaintiffs,

v.

ZILLOW GROUP, INC., a Washington
corporation; and ZILLOW, INC., a Washington
corporation,

Defendant(s).

Case No. 2:15-cv-01096-JLR

STIPULATED MOTION RE
PROCEDURE FOR POST-VERDICT
MOTIONS AND [PROPOSED] ORDER

**Noted for Consideration:
February 28, 2017**

The parties, by their undersigned counsel of record, hereby stipulate and jointly move the Court pursuant to Local Rules 7(d)(1) and 7(f) to permit the filing of consolidated over-length briefs by each party to address post-trial motions. Both parties currently intend to file post-verdict motions in this case, including potential motions pursuant to Federal Rules of Civil Procedure 50(b), 59, and/or 65. The parties have met and conferred on a briefing schedule and both believe that post-trial motions can be addressed most efficiently through the use of consolidated omnibus briefs from each side rather than in individual motions. To adequately address the legal issues and factual record relevant to each motion, the parties request that the Court permit opening and response briefs not to exceed thirty pages and reply briefs not to exceed fifteen pages. The parties also jointly request that the Court set a simultaneous briefing schedule as follows: opening briefs to be filed and served no later than March 22, 2017 (twenty-eight days

1 from entry of judgment as required by Fed. R. Civ. P. 50(b)); response briefs filed and served no
2 later than April 7, 2017; reply briefs filed and served no later than April 14, 2017.

3 Both parties also currently intend to file motions seeking attorneys' fees and costs
4 pursuant to Fed. R. Civ. P. 54 and Local Civ. R. 54(d). The parties request leave to file any
5 motions seeking attorneys' fees within fourteen days of the Court's order finally resolving the last
6 post-trial motion filed under Fed. R. Civ. P. 50, 59, or 65, or any final judgment the Court may
7 enter in light of such order. *See Bailey v. County of Riverside*, 414 F.3d 1023, 1024 (holding that
8 the deadline for filing a motion for attorneys' fees is tolled until fourteen days after resolution of
9 any motion filed under Fed. R. Civ. P. 50, 52, or 59). The parties separately request leave to file
10 any motions for costs within twenty-one days of the Court's order finally resolving the last post-
11 trial motion filed under Fed. R. Civ. P. 50, 59, or 65, or any final judgment the Court may enter in
12 light of such order. Local Civ. R. 54(d).

13 Respectfully submitted this 28th day of February 2017.
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[PROPOSED] ORDER

Having reviewed the parties' Stipulated Motion Re Procedure for Post-Verdict Motions and [Proposed] Order, and for good cause shown, the Court grants the parties' stipulation. The parties may file (1) opening post-trial briefs not to exceed (30) pages apiece no later than March 22, 2017; (2) opposition post-trial briefs not to exceed (30) pages apiece no later than April 7, 2017; and reply post-trial briefs not to exceed fifteen (15) pages no later than April 14, 2017. Motions for attorney's fees by either party may be filed no later than fourteen days after the Court's order finally resolving the last post-trial motion filed under Fed. R. Civ. P. 50, 59, or 65, or any final judgment the Court may enter in light of such order. Motions for costs by either party may be filed no later than twenty-one days after the Court's order finally resolving the last post-trial motion filed under Fed. R. Civ. P. 50, 59, or 65, or any final judgment the Court may enter in light of such order. Local Civ. R. 54(d).

It is so ORDERED.

Dated this ____ day of _____, 2017.

JAMES L. ROBART
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 28th day of February, 2017.

s/ Edgar Sargent

Edgar G. Sargent

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